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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

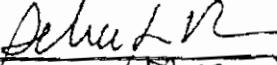
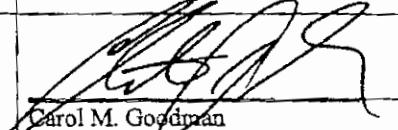
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FRANK A. FARRICKER, :  
Plaintiff, : Index No. 07 CIV 11191 (DAB)  
vs. :  
PENSON DEVELOPMENT, INC., :  
Defendant. :  
-----x

**STIPULATION REGARDING TIME FOR DEFENDANT  
PENSON DEVELOPMENT, INC. TO ANSWER OR OTHERWISE RESPOND**

It is hereby STIPULATED and agreed, by and between the undersigned counsel for Plaintiff Frank A. Farricker ("Farricker") and Defendant Penson Development, Inc. ("Penson"), that:

1. Counsel for Penson has accepted service of the Summons and Complaint on its behalf pursuant to the Acknowledgement of Service dated December 18, 2007.
2. Penson will answer, move, or otherwise respond to the Complaint on or before January 16, 2008.
3. This Stipulation may be executed using facsimile and/or PDF counterpart signatures and such signatures shall have the same force and effect as the original signatures.

Dated: December 18, 2007

VLADECK, WALDMAN, ELIAS & ENGELHARD, P.C.	HERRICK FEINSTEIN LLP
 Debra L. Raskin (DR-5431) Jeremiah Iadevaia (not admitted) 1501 Broadway New York, New York 10036 (212) 318-6000 <a href="mailto:draskin@Vladeck.com">draskin@Vladeck.com</a>  <i>Attorneys for Plaintiff Frank A. Farricker</i>	 Carol M. Goodman Christopher P. Greeley 2 Park Avenue New York, NY 10016 (212) 592-1400 <a href="mailto:cgoodman@herrick.com">cgoodman@herrick.com</a>  <i>Attorneys for Defendant Pension Development, Inc.</i>

BY THE COURT



APPROVED:

BATTIS, J.